



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/350,251	07/08/99	MALEK	A 139.059US1

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PM82/0926

EXAMINER

NGUYEN, J

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 09/26/00

9

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

9/350251

Applicant(s)

MALEK ET AL

Examiner

NGUYEN

Group Art Unit

3653

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-25 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1, 2, 11 is/are rejected.
- ☒ Claim(s) 3-10 and 12-25 is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☒ The drawing(s) filed on 2/9/00 is/are objected to by the Examiner. have been received.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Attachment(s) (The reference on PTO-1449 of 11/19/99 was crossed out because it is unreadable.)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3, 6, 8
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☒ Other \_\_\_\_\_

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The drawings are objected to because at least reference numeral 1957 is not shown.

Correction is required.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the picker of claim 10, the slide clamps of claim 13, the means for limiting of claim 14, and the slider of claim 25 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Claims 1-25 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For clarity and/or definiteness, it appears that "second" (claim 1, line 7) should be deleted, that "jaw" (claim 3, last line) should be --jaws--, that --simultaneously-- should be inserted before the period (claim 3, last line, claims 12, 17, 22), that "a" (claim 6, line 2, claim 7, line 3) should be --the--, that "mechanisim" (claim 9) is misspelled, that "a first" (claim 11, line 5, claim 13, line 3) should be --the first--, that --to engage the first tray-- should be inserted before the semicolon (claim 20, line 6), that --simultaneously after engagement-- should be inserted after "second tray" (claim 20, line 7).

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The following appear to **lack sufficient antecedent basis** (in the claim): “The first inspection position” and “the second inspection position” (claim 2).

Claim 14 appears to be dependent from claim 12; this is assumed in this Office action.

**All claims** should be revised carefully to correct all other deficiencies similar to the ones noted above.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art.

The admitted prior art discussed on pages 2-5 of the specification discloses substantially all the claimed features except for an inverting mechanism. Since the inverting operation is usually done by hand, the provision of a mechanism to perform this function would have been obvious to a person having ordinary skill in the art seeking efficiency and reduced labor costs. The flip station of claim 11 reads on the station where the human operator performing the inverting operation is stationed.

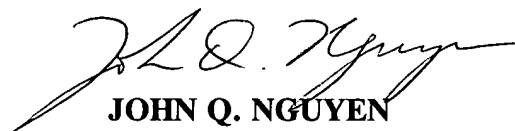
Claims 3-10, 12-25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action and to include all of the limitations of the

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base claim and any intervening claims. The prior art of record does not show or render obvious a system as recited in claim 3.

Only inquiries concerning this communication or earlier communications from the examiner should be directed to the examiner whose telephone number is (703) 308-2689.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

  
**JOHN Q. NGUYEN**  
**PRIMARY EXAMINER**  
**TECHNOLOGY CENTER 3600**